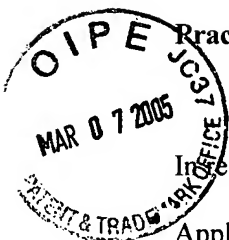


AF ZW



Practitioner's Docket No. 2605/101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Toshio Miyata

Application No.: 10/018,311

Group No.: 1646

Filed: April 28, 2000

Examiner: O'Hara, E.

For: MEG-3 PROTEIN

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed September 8, 2004, finally rejecting claims 1, 3, 4, 7, 8, 9, 10.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

03/08/2005 YPOLITE1 00000023 10018311

01 FC:1401 500.00 OP  
02 FC:1253 1020.00 OP

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

[x] with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Date: March 4, 2005

Signature

Barbara J. Carter

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Other than a small entity                      \$500.00

Notice of Appeal fee due                      \$500.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

Fee                      \$1,020.00

If an additional extension of time is required, please consider this a petition therefor.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee                      \$500.00

Extension fee                      \$1,020.00

**TOTAL FEE DUE \$1,520.00**

**5. FEE PAYMENT**

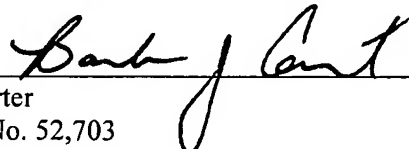
Attached is a check in the amount of \$1,520.00.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 19-4972.

Date: March 4, 2005

  
\_\_\_\_\_  
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